

# SIKKIM



## GOVERNMENT

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**GOVERNMENT OF SIKKIM  
TRANSPORT DEPARTMENT  
MOTOR VEHICLES DIVISION  
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**No: 44 /MV/T**

**Dated: 28 /09/2016**

### NOTIFICATION

Whereas the draft of the Sikkim Motor Vehicles (Amendment) Rules, 2016 was published as required by sub section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988) in the Sikkim Government Gazette Extra Ordinary No. 306 dated 10/08/2016 under the notification of the Government of Sikkim in the Motor Vehicles Division, Transport Department No. GOS/T/MV/2016-17/42 dated 10/08/2016, inviting objection and suggestion from all persons likely to be affected thereby, before the expiry of 45 (forty five) days from the date on which the copies of the said notification as published in the Sikkim Government Gazette.

And, whereas, the copies of the said Notification were made available to the public on 10/08/2016.

And, whereas, no objection and suggestion were received on the said draft rules from any person likely to be affected thereby;

Now, therefore, in exercise of the powers conferred under section 28, 38, 65, 95, 96, 107, 111, 138 and 176 of the Motor Vehicles Act, 1988 (59 of 1988), the State Government hereby makes the following Amendments in the Sikkim Motor Vehicles Rules, 1991, namely;

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| Short Title extent<br>and commencement | 1 | (1) These rules may be called the Sikkim Motor Vehicles (Amendment) Rule, 2016<br>(2) They shall extend to the whole Sikkim.<br>(3) They shall come into force on the date of their publication in the Official Gazette.                                  |
| Amendment of<br>rule 2                 | 2 | In the Sikkim Motor Vehicles Rules, 1991 (hereinafter referred to as the said rules) in rule 2 clause (k) of rule 2, in the Table, for sub-clause (i), (ii), (iii) and (iv) and the entries relating thereto, the following shall be substituted namely:- |

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|---------------------------|----|--|
|                           |    | "(i) State Transport Authority - Rs. 50<br>(ii) The Sikkim State Transport Appellate Tribunal - Rs. 50<br>(iii) The Secretary, Motor Vehicles - Rs. 150<br>(iv) Authorities not specified above - Rs. 100"   |
| Amendment of rule 6       | 3  | In rule 6 of the said rules, for the existing figure "Rs. 50" the figure "Rs. 500" shall be substituted.   |
| Amendment of rule 6B      | 4  | In rule 6B of the said rules, for the existing figure "Rs. 50" the figure "Rs. 500" shall be substituted.  |
| Amendment of rule 11      | 5  | In rule 11 of the said rules, in sub-rule (8), for the words "two hundred rupees", the word "four hundred rupees" shall be substituted.  |
| Amendment of rule 15      | 6  | In rule 15 of the said rules, in sub-rule (3), for the words "two hundred rupees", wherever they occur, the words "four hundred rupees" shall be substituted.  |
| Amendment of rule 23      | 7  | In rule 23 of the said rules, in sub-rule (3), for the words "ten rupees", words "one hundred rupees" shall be substituted.  |
| Amendment of rule 37      | 8  | In rule 37 of the said rules:-<br>(1) in sub-rule (3), for the words, "fifteen rupees", the words "one hundred fifty rupees", shall be substituted.<br>(2) in sub-rule (5), for the words "fifty paisa", the words "five rupees" and for the words "ten rupees", the words "one hundred rupees" shall respectively be substituted.   |
| Amendment of rule 39      | 9  | In rule 39 of the said rules, in sub-rule (1A), for clauses (a), (b), (c) and (d) and the entries relating thereto, the following shall be substituted, namely:-<br>"(a) Two wheelers - Rs. 500/-<br>(b) Light Motor vehicles - Rs. 1000/-<br>(c) Medium goods vehicles - Rs. 1500/-<br>(d) Heavy motor vehicles - Rs. 2000/-"   |
| Insertion of new rule 39A | 10 | In the said rules, after rule 39, the following rule shall be inserted, namely:-<br><b>"39A. Late fee:-</b><br>The penalty shall be imposed after expiry of 30 day of temporary certificate of registration. If the last date of penalty is Sunday or a public holiday, the fee shall be accepted without penalty on the next working days. After the expiry of 30 days, the penalty shall be at the rate equal to the number of days or months of annual tax including Rs. 100/- on late submission of application for registration." |
| Amendment of rule 55      | 11 | In rule 55 of the said rules, in sub-rule (1), for the words "fifteen rupees", the words "one hundred fifty rupees" shall be substituted.  |

- Amendment of  
of rule 58**
- 12** In rule 58 of the said rules:-
- (1) in sub-rule (1), for the words "twenty rupees", the words "two hundred rupees" shall be substituted.
  - (2) In sub-rule (3), for the words "fifty paisa", the words "five rupees" and for the words "five rupees", words "hundred rupees" shall respectively be substituted.
- Amendment of  
rule 68**
- 13** In rule 68 of the said rules, in sub-rule (3), for the words "ten rupees" the words "one hundred rupees" shall be substituted.
- Amendment of  
rule 73**
- 14** In rule 73 of the said rules, for the words "thirty five thousand rupees", the words "fifty thousand rupees" shall be substituted.
- Amendment of  
rule 90**
- 15** In rule 90 of the said rules, in sub-rules (6), for the existing figure "150/-", the figure "1500/-" and for the figure "100/-", the figure "1000/-" shall respectively be substituted.
- Amendment of  
rule 91**
- 16** In rule 91 of the said rules:-
- (1) In sub-rule (4), for the words "two hundred rupees", the words "two thousand rupees" shall be substituted;
  - (2) In clause (iv) of sub-rule (5), for words "twenty five thousand rupees", the words "fifty thousand rupees" shall be substituted;
  - (3) In sub-rule (24) for the words "twenty five rupees", the words "two hundred fifty rupees" shall be substituted;
  - (4) In sub-rule (25), for the words "five rupees", the words "one hundred rupees" shall be substituted.
- Amendment of  
rule 93**
- 17** In rule 93 of the said rules:-
- (A) In sub-rule(2),-
  - (1) In clause (a),
    - (a) for sub clauses (i), (ii), (iii) and (iv), the following shall be substituted, namely:-
 

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|--|-----------------------|
| “(i) Goods Carriage  | - Rs.2,000/- per year |
| “(ii) Contract Carriage<br>(other than motor cab and maxi cab) | - Rs.2,000/- per year |
| “(iii) Contract carriage (Motor cab and<br>maxi cab)           | - Rs. 5,00/-per year  |
| “(iv) Stage Carriage (SNT only)                                | - Rs.1,000/-per year” |
    - (b) After sub-clause (iv), the following sub-clause (v), (vi), (vii) and (viii) shall be inserted, namely:-
 

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|--|------------------------|
| “(v) Stage carriage (private owned<br>under SNT undertaking<br>& educational institutions) | - Rs. 3,000/- per year |
| “(vi) Stage Carriage (company owned)   | - Rs.10,000/-per year  |

- (vii) Project area permits for company owned Goods carrier month to ply within project area - Rs.1,000/- per
- (viii) Project area permit for company own construction equipments & machineries to ply within project area - Rs. 5,00/- per month
- (2) In clause (b), for sub-clause (i), (ii), (iii) and (iv), the following shall be substituted, namely:-
  - "(i) Goods Carrier - Rs.3,000/- per year
  - (ii) Stage Carriages - Rs.3,000/- per year
  - (iii) Contract Carriages (other than motor cab & maxi cab) - Rs.2,500/- per year
  - (iv) Contract Carriages (motor cab & maxi cab) - Rs.2,500/- per year
- (3) In clause (c), for sub-clause (i), (ii), (iii) and (iv), the following shall be substituted, namely:-
  - "(i) Goods Carrier - Rs.2,000/- per year
  - (ii) Stage Carriages - Rs.2,000/- per year
  - (iii) Contract Carriages (other than motor cab & maxi cab) - Rs.2,500/- per year
  - (iv) Contract Carriages (motor cab & maxi cab) - Rs.1,000/- per year.
- (4) In clause (d), for sub-clause (i), (ii), (iii) and (iv), the following shall be substituted, namely:-
  - "(i) Goods Carrier - Rs.400/- per trip
  - (ii) Stage Carriages - Rs.200/- per week
  - (iii) Contract Carriages (other than motor cab & maxi cab) - Rs.150/- per week
  - (iv) Contract Carriages (motor cab & maxi cab) - Rs.100/- per week."
- (5) In clause (e), for sub-clauses (i) and (ii), the following shall be substituted, namely:-
  - "(i) Super Luxury Tourist Vehicles (initial grant and renewal of permit) - Rs. 3000/- per year
  - (ii) Luxury Tourist Vehicles (Initial grant and renewal of permit) - Rs.2000/- per year
- (6) In clause (f), for sub-clause (i) and (ii), the following shall be substituted, namely:-

- “(i) Initial grant of permit upto 15 seated including driver - As per Central Motor Vehicles Rules, 1989
  - (ii) Renewal of permit - As per Central Motor Vehicles Rules, 1989;”
- (7)** In clause (fa), for sub-clause (i) and (ii), the following shall be substituted, namely:-
- “(i) Initial grant of permit beyond 15 seats and upto 27 seats including driver - As per Central Motor Vehicles Rules, 1989
  - (ii) Renewal of permit - As per Central Motor Vehicles Rules, 1989;”
- (8)** In clause (g), for sub-clause (i) and (ii), the following shall be substituted, namely:-
- “(i) Grant of Renewal of permits (All Sikkim) - Rs.10,000/- for 5 (five)years
  - (ii) One district - Rs.3000/- for 5(five)years;”
- (B)** In sub-rule (4), for the words “fifty rupees”, the words “five hundred rupees” shall be substituted.
- (C)** After sub-rule (6), the following sub-rule shall be inserted, namely:-
- “(7). Entry Permit fee for those transport vehicles entering Sikkim (other than those plying on countersignature permit under Reciprocal Transport Agreement between Government of Sikkim and West Bengal).**
- (i) Goods Carrier - Rs 500/- per day (24hrs)
  - (ii) Contract Carriages (other than motor cab & maxi cab) - Rs. 100/- per day (24 hrs)
  - (iii) Contract Carriages (motor cab & maxi cab) - Rs. 50/- per day (24 hrs)
  - (iv) Stage Carriages - Rs. 200/ per day (24 hrs)
  - (v) Multi Axle Trailers from 25 MT GVW and upto 35.2 MT GVW - Rs. 700/- per day
  - (vi) Multi Axle Trailers above 35.2 MT GVW - Rs. 1000/ per day”

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| Amendment of rule 97  | 18 | In rule 97 of the said rules, in sub-rule (1), for the words "two hundred fifty rupees" the words "one thousand rupees" and for the words "five hundred rupees", the words "two thousand rupees" shall respectively be substituted.   |
| Amendment of rule 110 | 19 | In rule 110 of the said rules, in sub-rule (1), for the figure "Rs. 300/-" the figures "Rs. 1000/-" and in clause (ii), for the figure "Rs. 150/-" the figures "Rs. 500/-" shall respectively be substituted.   |
| Amendment of rule 111 | 20 | In rule 111 of the said rules, in sub-rule (5), for the figure "Rs. 20/- (Rupees twenty)", the words "one hundred rupees" and for the figure and "Rs. 5/- (Rupees five)" the words "one hundred rupees" shall respectively be substituted.  |
| Amendment of rule 112 | 21 | <p>in rule 112 of the said rules, in sub-rule(4),-</p> <p>(1) in clauses (a), for sub-clause (i), (ii), (iii) and (iv), the following shall be substituted, namely:-</p> <p style="padding-left: 40px;">"(i) For Increase of seating capacity - Rs. 500/-</p> <p style="padding-left: 40px;">(ii) For decrease in seating capacity - Rs. 500/-</p> <p style="padding-left: 40px;">(iii) For revision of timing - Rs. 500/-</p> <p style="padding-left: 40px;">(iv) For extension of route or increase in the number of trip - Rs. 500/-"</p> <p>(2) For clause (b), the following shall be substituted, namely:-</p> <p style="padding-left: 40px;">"Goods Carriers - Rs. 500/-"</p> <p>(3) In clause (c), for sub-clause (i) and (ii), the following shall be substituted, namely:-</p> <p style="padding-left: 40px;">"(i) Omnibus - Rs. 500/-</p> <p style="padding-left: 40px;">(ii) Taxis - Rs. 500/-"</p> |
| Amendment of rule 152 | 22 | In rule 152 of the said rules. For the words "fifty paisa", the words "five rupees" and for the words "five rupees", the words "hundred rupees" shall respectively be substituted   |

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